1

B-class

~~AFD 106 FGL 60~~

App. F. IX—4

Previous References.

(1960)

File No. ~~RD 132~~

Serial Nos. ~~A 1860~~

AFF. Dept

Forest. Kn

Later References.

MYSORE GOVERNMENT SECRETARIAT

Serial Nos.

Part B for

SUBJECT

Disposal of land out of Sy 147 of Uyyambali Forest Kanakapura Taluk Bangalore Dt. Regularisation of unauthorised cultivation.

WD 04708—GPB—1,00,000—11-4-60

A
1/4/64

17/6/60

14/12/60 Fwd.

Vatchala
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ,
ಕಿರಣ್ಯ, ಪರಿಸರ ಮತ್ತು ಪರಿಸರಶಾಸ್ತ್ರ ಇಲಾಖೆ,
(ಅರಣ್ಯ-ಸಿ).

Serial No.

Letter no LND.I.SR.BAN.111/60 dated 10th June 1960 from the Divisional Comr Bangalore on re: disposal of land in Sy No 147 of Nyyamballi Minor Forest Kanakapura Taluk Bangalore Dt.

1 For detailed facts of the case kindly see the letter dated 19.5.60 of the Dy Comr Bangalore.

2 In the circumstances stated therein, the Dy Comr Bangalore Dt has recommended for the disafforestation of 180 acres of land in Sy No 147 of Nyyamballi minor forest Kanakapura Taluk Bangalore Dt and to regularise the unauthorised cultivation from the year 1936.

3 The Chief Conservator of Forests who was consulted in the matter has opined that it is not desirable to release any area for cultivation purposes and requested to take needful action to cancell the grant made if any and to evict the persons early.

4 The Divisional Comr Bangalore Dt has stated that the Forest Dept have failed to take timely action to occupy the area effective and to prevent unauthorised cultivation that it is both impracticable and unfair to evict the persons who are in possession of land from the last 20 years as they have

Note.—Contn. Sheet

Serial No.	
	evaluated the land and has recommended to release the area of 180 acres and to regularise the occupation in respect of landless occupants and to evict those who are not eligible with a view to provide for others who are eligible.
5	The proposal of the Divisional Comr Bangalore Div is for orders in Consultation with A & F Deptt.
	RD 17/6
6	Sd/- 17/6. The encroachers have been in unauthorised occupation of the land in question for the past several years. The Forest deptt has not taken effective action to prevent the encroachments. The total area encroached is 135 acres 2 gts. As the encroachers are reported to have developed the area, it may not be advisable to evict them now. As recommended by the Dy Comr, the extent of 180 acres which is fit for cultivation may be put for release in consultation with A & F D so as to regularise the unauthorised

Serial No.

Occupation. The C.C.F. is however not in favour of this proposal

Sd/-

17/6

M VENKATAGIRIRAJU,
Under Secy., Rev. Dept

DEPUTY SECRETARY TO GOVT.
No. 9495
17 JUN 1960
REVENUE DEPARTMENT

7. For further remarks on the recommendation of the Divisional Commissioner.

A & F. Dept

Sd/- D.S.R.D.
17/6

8. Srinivasa Doddaboyee and others have encroached land in F.S. No. 147 of Uyyanahalli Minor forest in Kasakapura Tq, B'lore Dist and have been cultivating the said land i.e., about 135-24-0 acres as against the extent of the said S.No., 180-0-0 acres which was constituted into a Minor forest.

MYSORE GOVERNMENT SECRETARIAT
No. 5412
20 JUN
FOREST BRANCH

9. The petitioners have been cultivating for the past about 15 years and Sri. Thoppa Setty & 20 others from 10 years and have developed the area.

10. The CCF is not in favour of its release whereas the D.C. & the Dl. Conr., Bangalore, recommend grant on the ground that the area has been developed, which is also disputed

Note.—Contn. Sheet

Serial No.

for cultivation and the petitioners are cultivating it since many years and evicting them from the lands at this distance of time is, according to them, inhuman and the petitioners will be put to hardship.

11) However they say that Forest Dept should have been ~~vig~~ vigilant and pushed out encroachments early and at the time — This should be pointed out to CCF

12) Submitted for orders.

20/6/60

The reasons why CCF is not in favour of releasing the land are not known. However, in the circumstances explained by the Div. Commissioner A & F.D. may agree to the release of the Forest land to the R.D. for cultivation. 13

24/6/60.

It is better we make a ref: to CCF and obtain categorical reasons why the area should not be released. However, it may be seen that encroachments on the minor forest lands are 20 years old and we may presume that the land must have lost all characteristics of Forest. In the circumstances 14

AFD 54/2/60

6

Mysore Government Secretariat

File No. of 195 .
RD 132 YBD 60.

[App. F. III 2

Serial No.

There does not seem to be any choice left but to release the area - which is a little more than 135 acres. There is, of course, one point which needs consideration: Are we going to regularise encroachments without any penalty? If this is done, this may form a precedent and tempt other persons to encroach on Forest lands. In my opinion it would be better to change the encroachers a penalty as a definite punishment and then only release the lands in their favour.

A

15 Since this involves a question of release of 135 acres of Forest land. M (F & Tr) may kindly see for orders particularly on 'A' above.

Kg 25.6.60.

16 M (F & Tr) I agree as at 'A' above

29/6

29/6

29/6

OFFICE OF THE MINISTER FOR FOREST & TRANSPORT
No. P-461
28 JUN 1960

AGRICULTURE & FOREST DEPARTMENT
No. 4833
28 JUN 1960
GOVERNMENT OF MYSORE

Note.—Contn. Sheet

File No. RD 5412/60 of 195 .

Mysore Government Secretariat

Serial No.

Minor Forests are said to be under the control of the RD. Forest Dept agree with the RD. They may take further action.

20/6. RD) 4/7/60 (HS) 18

Kindly see para 14 to 16 of the notes particularly A at para 14 of the notes. 19

In this connection it may be pointed out that it is reported by the Deputy Comr Bangalore in his letter dated 17th Sep 1957 (R 5 C f) that hakkar hakkas were filed against some of the encroachers by the Rev authorities who cultivated an extent of 32 acres 30 gunthas and was discontinued from the year 1952-53 since the forest authorities took action for the same on the ground that the land belonged to Forest Dept. 20

It is not clear from the records whether the Forest authorities have taken action for the unauthorised ~~encroachs~~ cultivation. 21

For orders whether the Divisional Comr Bangalore can may be requested to ascertain the action taken by the Forest authorities for unauthorised cultivation of land and to request the concerned 22

MYSORE GOVERNMENT SECRETARIAT 8204 7 JUL 1960 REVENUE BRANCH.

Office of the Revenue R.D. Date 16 JUL 1958 No. T.L.R. 54-58

Serial No.

authorities to take necessary action if not already taken as pointed at "A" in para 14

RQ 9/7 9/7

~~[illegible]~~

~~[illegible]~~.

23 As the noting at para 17 correct that not the notification issue from Govt. as to area in question is included in the minor forest area of Satanur Range and constitutes as such in a notification issued by the chief conservator of forests.

9/7

24 The noting at para 17 of the notes is not correct in view of the orders passed at para 16 of the notes.

25 A & F. Department wants to take necessary action against the unauthorised encroachers before the land is released.

26 For order on paras 22 of the notes.

RQ

27 11/7 ~~[illegible]~~ 30/7/60. A Govt. may issue the notification notification & pass on the papers ~~[illegible]~~ RD

Sri BS

Pl. get a copy of notification of 1934

RD 11/7

It is stated that the correction has been destroyed on 16-11-1956 (flag K)

RQ 20/7

Note.—Contn. Sheet

AFD 106 FGL 60

9

File No. RD 132 LBD of 1959.

Mysore Government Secretariat

Serial No.

for further action,

[illegible] 1/8

24/8/60

As the minor forest is under the Forest Dept, the draft G.O. releasing 135-26-0 acres in Nyyambally Minor Forest, be approved. 28

Please reference paras 14 to 16a. 29

MYSORE GOVERNMENT SECRETARIAT NO. 7830 3 AUG 1960 FOREST BRANCH

10/8/60

For perusal of paras 14 to 16 30

14/8 the land encroached upon is a Minor Forest under the control of the Forest Dept and the Forest Dept should have taken to prevent the unauthorised occupation. It has been ordered that the encroachers should be charged with a penalty on them. May a disafforestation notification be therefore issued and the R.D. requested to levy suitable penalties on the encroachers while regularising the grants according to land-grant rules.

DEPUTY SECRETARY TO GOVT. NO. 934 17 AUG 1960 AGRICULTURE & FOREST DEPTT.

Pl. Sp 14/8/60

17/8

17/8/60 31

Discussed. What is the bar to say that the land is a minor forest vesting with the Forest Dept

[illegible] 10/8

Mysore Government Secretariat

AFD 106 FGL 60

File No. of 195

[App. F. III 2

Serial No.

32 Mostly District Forests, Sacon Forests and village Forests etc., are under the Control of the Revenue Dept. This area, i.e., minor Forest ~~area~~ is under the Control of the Forest Dept, as presumed in the light of para 17a read with para 27 of the notes.

33 However the D.F.O. Bilore will be asked direct to state if it is not the case and the Dft put up may be approved.

15/c

19/8/60.

34 Draft issued on 23.8.60.

23/8

Sus 24/8/60

35 Please see Diary 8158 dt 31-8-60 w/r to lr of 23/8/60 (p. 15/c)

36 The DFO. Bangalore, states that area is a forest land and in view of the clarification offered by him, the draft G.O. at page 9/c may perhaps be issued.

2/9/60.

37.) Dft G.O. prob. enclosure is for consideration.

2/9 ~~DS~~ 3/9/60

38 once again. Do we collect the Penalty first and then disforest the land or do we hand over the land and then try to collect Penalty? or is it RD who have to collect the amount?

6/9 6/9

DEPUTY SECRETARY TO GOVT. NO 125 / F 6 SEP 1960 AGRICULTURE & FOREST DEPTT.

Note.—Contn. Sheet

File No. AFD 106 FGL 60. of 195

Mysore Government Secretariat

Serial No.

RD will be in a better position to collect any penalty levied with its wide organisation. However RD may kindly offer their remarks on para 6 of the draft GO read with para 38 ante. 39

7/9/60.

7.7.0 remarks.

RD) CA. to put up 40

2/9 provision of the Forest Act under which action could be taken against the unauthorised occupation. 8/9/60.

Under Section 25 clause (f) of the Mysore Forest Act 1900, action may be taken against unauthorised cultivation. 41 ⊗ Act placed below.

21/9/60.

Ref para 40 ante/7 42

2/9 the provision quoted refers to State forests while the present instance relates to Minor forests. Even suppose sec 25 cl(f) is applicable to the present case, for levying penalty and evicting the encroachers, the dept has to approach the Magistrate under chapter VII of the Forest Act. But the Revenue Authorities can take appropriate action under the L.R.C. if the land is disafforested & surrendered to them and the procedure under the L.R.C is simpler than the Forest Act. With this view para 3 of the draft is for kind consideration 43

DEPUTY SECRETARY TO GOVT. NO. 25946 26 SEP 1960 AGRICULTURE & FOREST DEPTT.

2/9/60

RD 132 ARD 59 ✓ AHD 106 F Gx 60 12

Mysore Government Secretariat

File No. of 195 . [App. F. III 2

Serial No.

46 For flo remarks on the point of Collection of Penalty for unauthorised Cultivation.

1590/59

Rev. Dept)

S. N. MURTHY, 26/10
Secy. Agri & Forest Dept.

MYSORE GOVERNMENT SECRETARIAT No 9810 27 SEP 1960 REVENUE DEPARTMENT

This may be returned to A & F. Dept. with the information that after disafforestation of the land action will be taken under section 59 of the L.R.C. for unauthorised cultivation of Govt land.

27/9

6/10

46 A & F. Dept

D.S.R.D. 8/10

MYSORE GOVERNMENT SECRETARIAT 28 SEP 1960 REVENUE BRANCH

A & F Dept

47 For orders w/r to para 30 onds

11/10/60

DEPUTY SECRETARY TO GOVT. No 13846 8 OCT 1960 REVENUE DEPARTMENT

48 Para 14 onwards Please. In Para 16. M (F & Tr) was pleased to agree to my suggestion that the forest lands may be released to the encroachers after levying a suitable penalty. It is now seen that levy of penalty is easier according

DEPUTY SECRETARY TO GOVT. NO. 18501/E. 14 OCT 1960 AGRICULTURE & FOREST DEPTT.

Note.—Contn. Sheet

File No. 106 FEL of 1960.

Mysore Government Secretariat

Serial No.

to Revenue procedure than according to Forest rules. In the circumstances I feel that we may disforest the area and hand it over to RD with a specific request 1) that the land thus be regularised in favour of the encroachers only after the penalty is levied and 2) that the penalty amount to levied is given to Forest Dept for orders

1800/F

M. (F & T2)

14/x

K. S. N. MURTHY,
Dy. Secy. Agri & Forest Dept.

49

15/11 17/10 18/10

9/c.

Draft G.O. put up 25/r to paras 48 & 49 Supra may kindly be approved.

24/10. 25/10

19/c

A revised draft (typed) as per oral instns is put up for approval.

23/11. 24/11

Dft G.O. for approval

28/11

Secretary 1/12

Issued on 6.12.60 6/12

14/12/60

OFFICE OF THE MINISTER FOR FOREST & TRANSPORT
No. P1109
15 OCT 1960

AGRICULTURE
7637
17 OCT 1960

DEPUTY SECRETARY TO GOVT.
NO. 2364/F
28 NOV 1960
AGRICULTURE & FOREST

AGRICULTURE & FOREST SECRETARY
No. 8344
29 NOV 1960
GOVERNMENT OF MYSORE

WD 04700—GPB—PZS—8,00,000—1958

14

Office of the Divisional Commissioner
Bangalore Division,

No. IND.1.SR.BAN.111/60.--

Encs. 2 letters of Records.

Bangalore, dated 10th June 1960.

To

The Secretary to Government,
Revenue Department,
Bangalore.

MYSORE GOVERNMENT SECRETARIAT
N 6988
13 JUN 1960
REVENUE BRANCH.

Office of the Registrar-R.D.
Date. 11 JUN 1960
No. T 6048

Sir,

Sub: Grant of land in S.No.147 of Uyyamballi Minor Forest Kanakapura taluk.
===

In forwarding herewith copies of letters No.M2.PR.02.C.2678/55 dated 17-9-57 and IND 42 C.1877/60 dated 19-5-60 of the Deputy Commissioner, Bangalore and M2.45.971/55 dated 20-8-55 of the Chief Conservator of Forest in Mysore Bangalore together with the connected records on the above subject, I write to state that an extent of 180 acres out of S.No.147 of Uyyamballi was constituted into a Minor Forest as per G.O.No.C1.1608-8-1934. Sriyuths Doddabayae and others encroached upon this area and have been cultivating since 1936. The Deputy Commissioner, Bangalore after investigation has also noticed that besides the above ~~progress~~ persons Thoppasetty and 20 others have also encroached upon an extent of 32 acres 30 guntas since 6 to 10 years. A detailed statement showing the individual encroachments has been prepared by the Surveyors which shows ~~that~~ total encroachment of 135-24. The Chief Conservator of Forest in Mysore Bangalore had addressed the ertswhile Revenue Commissioner in his letter dated 20-8-55 to evict these occupants. The Deputy Commissioner, Bangalore who was consulted in the matter has now stated in his report dated 19-5-60 that in this S.No.147 the area fit for cultivation is only about 180 acres and the only way to solve the problem is to get this extent released and regularise the encroachments.

p.t.o.

I find that practically the entire extent of ~~cultivable~~ cultivable land which was constituted into a Minor Forest isunder unauthorised cultivation presumably for over 20 years. The Forest Department have failed to take timely action to occupy the area effectively and to prevent encroachments. It is both impracticable and unfair to seek to evict these persons who are otherwise eligible, from such a large area when they have developed the land. The Deputy Commissioner's recommendation therefore appears to be the only feasible and proper course i.e., to have the area released and to regularise the occupation in respect of landless occupents and to evict those who are not eligible with a view to provide for others who are eligible

In the circumstances I request you to obtain orders of Government to release the extent of 180-00 which is said to be the available and cultivable area in and comprised Uyyamballi Minor Forest. The Deputy Commissioner, Bangalore will take action as proposed in the penultimate para to regularise the occupation on receipt of orders of Government.

Yours faithfully,

Draft approved by the Divisional Commissioner.

For Divisional Commissioner.

Tx

Office of the Deputy Commissioner,
No.LND.42-C.1877/60-61 Bangalore District,
Bangalore, dated 19th May 1960.

To

The Divisional Commissioner,
Bangalore Division, Bangalore.

Sir,

Sub:- Grant of land out of Gomal Survey No.147 of Uyyamballi village, Kanakapura Taluk and prayer of Doddaboyee and others for confirmation of the same.

Ref:- Your letter No.C1.3335/55-56 dated 15-10-1957 on the above subject.

--

With reference to the above, I write to state that Survey No.147 of Uyyamballi village has an extent of 240 acres 17 guntas and out of this, an extent of 180-00 acres has been included in Uyyamballi Minor Forest of Sathanoor Range and constituted as such in Govt.Notification No.C1.1608-F.T.4934-2 dated 16-8-1934 and this minor forest is quite adjacent to Chilandawadi State Forest. The Forest "D" line of this State Forest forms the eastern boundary of Survey No.147 which is a Minor Forest. A

Doddaboyee and others encroached on Survey No.147 and cultivated varying extents from 1936. On an investigation made in this matter, Thopasetty and 20 others also were found to have unauthorisedly cultivated 32 acres 30 guntas for a period of 8-10 years. ~~Txtx~~ Takarar Takthas were being filed against them. Afterwards this was discontinued as the land was not a revenue land. On a further investigation being made about the detailed account of an upto-date encroachment, it is revealed by a survey of the area that 135 acres 24 gts. of land Has been cultivated by Siddiah and 32 others in the Survey number. Out of the entire extent of 240-17 acres, only 180-00 acres is stated to be fit for cultivation and the rest of the area is unfit for cultivation.

A major extent of cultivable area in this Survey number is already under the unauthorised occupation of landless persons from a long time. The local officers have reported that an extent of 180 acres may be released for cultivation

for cultivation out of the said survey number.

I, therefore, request that the Chief Conservator of Forests may kindly be addressed to release an extent of 180-00 acres for cultivation purposes, out of Survey No.147, Uyyamballi village, from the Minor Forest.

Connected records are enclosed.

Yours faithfully,

Draft approved by the Deputy Commissioner Bangalore District

RB) 3

B Veerabhadraiah
(B.VEERABHADRAIAH)
For DEPUTY COMMISSIONER
BANGALORE DISTRICT.
19.5.60

Copy of letter No.M2.PR.102.C.2678/55-56, dated 17th Sep. 1957, from the Deputy Commissioner, Bangalore District, Bangalore, to the Divisional Commissioner, Bangalore.

Sub: Unauthorised occupation of Government land in S.No.147 of Uyyamabahally village, Kanakapura taluk and prayer of Sri Doddaboyi and seventeen others for confirmation of the same.

Ref: Your letter No.C1.PR.98.C.3335/55-56 dated 4-1-56 and a subsequent reminder dated 23-5-56.

I write to state that tha above fact has been enquired into by the local officers and a report with the connected records has been submitted to this office, by the Sub Division Officer, Ramanagaram Sub Division, in his No.A2. PR.197.C./55-56 dated 12-7-57 stating that according to the statements of the unauthorised occupants, an approximate extent of 32 acres 30 guntas of land has been encroached in the above S.No. by twenty one persons against some of whom Takarar takthas were filed by the Revenue Authorities every year upto 1952-53 and was discontinued subsequently, since the forest authorities took action for the same on the ground that the land belonged to Forest Department. He further recommended for confirming the lands to the delinquents since they are all deserving people.

The records have been returned to the Sub Division Officer for submission of further particulars. He has been directed to get the boundary line between the Forest land and the Revenue Gomal land demarcated by the taluk Surveyor and the Forest Surveyor in presence of the taluk Amildar and the Range forest officer. After the demarcation line being fixed, he has been further directed to get the actual extent of land cultivated by each of the takrardars both in the Forest and in the Revenue land, measured and reported. The District Forest Officer and the District Survey Officer

p.t.o.

have also been addressed from this office; to direct their subordinate officers to render all necessary assistance required by the Amildar, in this behalf. After obtaining a complete report, the records will be sent.

Copy of letter No.M2.45.371/55, dated 26th August 1955, from the Chief Conservator of Forests in Mysore, Bangalore, to the Revenue Commissioner in Mysore, Bangalore.

Sub: Grant of land in S.No.147 of Uyamballi village, Uyamballi Minor Forest, Kanakapura taluk - Petitions of Sri Doddaboyi and 17 others of Uyyamballi and Alahalli villages.

In forwarding herewith a copy of Bangalore District Forest Officer's letter No.C.546 dated 13th August 1955 together with the above petitions and other enclosures I write to state that as opined by the District Forest Officer, Bangalore district it is not desirable to release any area from out of the above minor forest for cultivation purposes. I request you therefore kindly to take needful action to cancel all the grants made, if any, in the said Minor Forest and to evict the intraders early.

The action taken in the matter may kindly be intimated and the enclosed records resubmitted when no longer required.

/copies/

For Divisional Commissioner.

tx

17522

20

7

GOVERNMENT OF MYSORE.

Mysore Government Secretariat

Requisition for papers

Section F.T.

A Destroyed on

B 16/11/56

Filed

Deposit No..

File No. 49-34

Serial No. 2.

To be put up Diary No. 8204 of 1960.
R(B)

Signature

Branch Revenue

Section B.

Date 30/7/60

WD 03557—GPB—2,000 bks. of 100 pages each—9-9-53

21 (9)

M. G. S. App. F VI—G. 2]

SUBJECT SANCTIONS :— Grant of 135-24-0 acres of land in F.S. No. 147 of Hayyaanballi Minor Forest Harakagunda Tq. for cultivation.

Diary No. of letter replied to.....

Mysore Government Secretariat

( )

the 195 .

Date of issue.....195 .

Signed by.....

(*) Letter no. M2.45-371/55 dt 26-8-1955 of the CCJ addressed to the ~~Rev. Comr.~~, Revenue Comr. in Mys. B'lore.

May this be—

(i) printed?
(ii) treated as a Standing Order?
(iii) published in the Gazette, English Part?
(iv) translated?
(v) placed at the disposal of the Press?
(vi) published in the Gazette, Kannada Part?

Section

Serial No.

File No AFD 106 FGL 60

Proceedings of the Government of Mysore.

Read— Letter no. IND.1.SRBAN.111/60 dt 10-6-60 from the Div. Comr., B'lore Dn. B'lore addressed to the Rev. Secretary.

2) (*)

ORDER

~~Order thereon.— No.~~ The Div. Comr. states that an extent of 180 acres out of F.S. No. 147 of Hayyaanballi was constituted into a Minor Forest as per G.O. No. CI.1608-8-1934. Sri Gutta Doddabaiyee and others encroached upon this area and have been cultivating

Since 1936. The Deptt Comr, B'lr, after investigation has also notices that besides the above persons, Sri Thoppa Setty & 20 others have also encroached upon an extent of 32-30-0 acres since 8 to 10 years. The total extent thus encroached upon comes to 135-24-0 acres after surveying the encroachments.

2) The CEZ area consulted by the erstwhile Rev. Comr in Rys, B'lr, recommends to eject these occupants.

3) The D.C. B'lor in his letter no. LND 42-C.1877/60-61 dt 19-5-60 ~~states~~ Reports area consulted, that in this S no. 147. the area fit for cultivation is only about 180 acres and the only way to solve the problem is to ~~get~~ grant this extent and regularise the encroachments. ~~and in~~

4) The Div. Comr further ~~of the opinion~~ that the unauthorised

Copied by

Examined by

cultivation subsists presumably for over 20 years, and that the Forest Dept have failed to take timely action to occupy the area effectively and to prevent encroachments. It is both impracticable and unfair to seek to evict these persons who are otherwise eligible, from such a large area when they have developed the land, and particularly at this distance of time and in the circumstances requesting orders of Govt to release 180-0-0 acres of the Minor Forest.

~~It is presumed that the land must have~~

5) Govt, after careful examination of all aspects ~~and interests of the problem, is~~ is pleased to direct that an extent of 135-24-0 acres from out of the Uzyanballi Minor Forest, Harekrishna Tq. R'lu Dist. be disforested and surrendered to ~~the RD~~ for being granted to the encroachers permanently for cultivation, subject however to ~~the~~ conditions ~~&~~ to be stipulated by the RD ~~in the~~ matter.

6) Govt also feel that should this tendency of encroachment on forest lands be looked upon sympathetically, may set a precedent and tempt others to follow suit and therefore decides that in addition to the conditions to be laid down by the Rev. Dept, a suitable penalty should be imposed as a definite punishment on the encroachers by the Forest Dept in consultation ~~with the RD~~ and then only release the lands in their favour.

7) Govt further direct that the Forest Dept should be more vigilant in future

and ~~prevent~~ prevent the encroachments if any on the forest lands as and when they occur or noticed whichever is earlier, failing to act accordingly at the right time may involve Govt losing of valuable areas of forests and this ~~will~~ lapse on the part of the Forest Dept will have to be viewed seriously.

8) The CCF is requested to take action accordingly and send up to Govt disforestment notification in respect of the area ordered to be released early.

By Order etc.

Sd/- A&FD.

10/8/60.

To

The CCF
The Dt. Comr., B'lm Dn, B'lm, with papers of the case.
The Dc. B'lm Distt. B'lm
The RD w/r to their Pole RD 132 L BD 60.
The NG.

10/8/60.

Appendix F. G.—1]

SUBJECT: Grant of land in S No. 147 of Alyyaamballi Minor Forest, Heerakapura Taluk.

Diary No. of letter replied to .....

Mysore Government Secretariat.

( )

the 195 .

Date of issue 23/8/60

Signed by .....

List of enclosures .....

Copied by .....

Examined by .....

Section

File No. AFD 106 FGL 60

Serial No.

No.

To The D.F.O. B'lore.

Sir,

Please refer to your letter No. C. 5246 dt 13-8-55 on the above subject addressed to the CCF.

Please state whether the Alyyaambally Minor Forest is under the Control of the Forest Department along with the extent that the S No. 147 comprises.

A very urgent reply may be sent to Govt.

20/8

AFS AFD.

Copy to the CCF w/r to his lr No. MR. 45. 371/55 dt 26-8-55 addressed to the Revenue Commissioner in Mysore, B'lore

20/8

AFS AFD.

WD 04600—GPB—PZS—8.00.000—22-3-60

19/8/60

MYSORE GOVERNMENT SECRETARIAT
NO. 8158
31 AUG 1960
106 FGL 60
FOREST BRANCH

NO:R;. 1187
Encls,

District Forest Office,
Malleswaram, Bangalore 3
DT. 30 Aug. 60.

AGRICULTURE & FOREST DEPARTMENT
No. 19
TAPAL SECTION
Date 30/8
M. G. 8158

To,

The Under Secretary to Government,
Agriculture and Forest Department,
Vidhanasoudha, Bangalore.

Sub;- Grant of land in S.No. 147 of Uyyambally minor forest, kanakapura taluk.
Ref;- Your letter No. AFD. 106 FGL. 60/dt. 23-8-60.

With reference to the above, I write to furnish the particulars called for as follows for kind perusal.

1. The Uyyambally State Forest constituted as such in Govt Notification No. G. 1608/FT. 49-34-2/dt. 16-8-34 is under the control of Forest Department.

2. The extent of land of S.No. 147 of Uyyambally M.F. comprised is 4.6 acres which is irregular grant of land by the Revenue Department.

Yours faithfully,

B. Marappa

(B.Marappa)
Divisional Forest Officer, Bangalore.

29.8.60

HR/29.

M. G. S. App. F VI—G. 2

SUBJECT.... SANCTIONS: Grant of 135-24-0 acres of land in F.S.No.147 of Uyyamballi Minor Forest, Kanakapura Taluk, for cultivation.

Diary No. of letter replied to.....

Section

Serial No.

File No AFD 106 FGL 60

Mysore Government Secretariat

( )

the 195 .

Proceedings of the Government of Mysore

Date of issue 8.12.60 195

Signed by.....

May this be—
(i) printed ?
(ii) treated as a Standing Order ?
(iii) published in the Gazette, English Part ?
(iv) translated ?
(v) placed at the disposal of the Press
(vi) published in the Gazette, Kannada Part ?

Read— Letter No.IND.1.SRBAN.111/60 dt. 10-6-60 from the Divisional Commissioner, Bangalore Dn, Bangalore, addressed to the Revenue Secretary to Government.

2) Letter No.M2.45-371/55 dated 26-8-1955 of the CCF in Mysore, Bangalore, addressed to the Revenue Commissioner in Mysore, Bangalore.

ORDER

~~Order xxxxxxxxxxx Nox~~

The Divisional Commissioner state that an extent of 180 acres out of F.S.No 147 of Uyyamballi was constituted into a Minor Forest as per G.O.No.C1.1608-8-1934. Sriyuths Doddaboyee and others encroached upon this area and have been cultivating since 1936. The Deputy Commissioner, Bangalore, after investigating has also noticed that besides the above persons, Sri.Thoppa Setty and 20 others have also encroached upon an extent of 32-30-0 acres since 8 to 10 years. The total extent thus encroached upon comes to 135-24-0 acres after surveying the encroachments.

2. The CCF when consulted by the erstwhile Revenue Commissioner in Mysore, Bangalore, recommends to evict these occupants.

3. The Deputy Commissioner, Bangalore in his letter No.LND.42-C.1877/60-61 dt

dt.19-5-60 reports when consulted, that in this S.No. 147, the area fit for cultivation is only about 180 acres and the only way to solve the problem is to grant this extent and regularise the encroachments.

3. The Divisional Commissioner further is of the opinion that the unauthorised cultivation subsists presumably for over 20 years, and that the Forest Department have failed to take timely action to occupy the area effectively and to prevent encroachments. It is both impracticable and unfair to seek to evict these persons who are otherwise eligible, from such a large area when they have developed the land, and particularly at this distance of time and in the circumstances, the Divisional Commr requesting orders of Government to release 180-0-0 acres of the Minor Forest.

5. Government, after careful examination of all the aspects is pleased to direct that an extent of 135-24-0 acres from out of the Uyyamballi Minor Forest, Kanakapura Taluk, Bangalore District, be disforested and surrendered to the R.D. for being granted to the encroachers permanently for cultivation, subject to the new land grant rules of the RD.

6. It is further directed that the grant of these forest lands may be regularised in favour of the encroachers by the Revenue Dept only after levying a suitable penalty by the R.D. (to be credited to the Revenue Dept) and the penalty amount to be levied to be given to the Forest Department.

7. The CCF is requested to take further action in the matter accordingly and send upto Government disforestment notification in respect of the area ordered to be released early.

By Order etc.,

U.S.A&FD.

List of Enclosures.

The CCF
The Div.Comr.B'lore, with papers of the case.
The D.C.Bangalore,
The R.D. with ref.to their file RD 132 LBD 60.
The W.G.

23/11/60

Copied by

Examined by

PROCEEDINGS OF THE GOVERNMENT OF MYSORE

Sub:- Sanctions Grant of 135-24-0 acres of land in F.S.No.147 of Dyvamballi Minor Forest, Kanakapura Taluk, for cultivation.

AGRICULTURE & FORESTS DEPARTMENT.

G.O.No. AFD 105 FGL 60, Dated, Bangalore, 6th December 1960.

Read:-

1. Letter No.IND.1.SRSAN.111/60 dt.10-8-60 from the Divisional Commissioner Bangalore Division, Bangalore, addressed to the Revenue Secretary to Government.

2. Letter No.M2.45-371/55 dt.26-8-1955 of the Chief Conservator of Forests in Mysore, Bangalore, addressed to the Revenue Commissioner in Mysore, Bangalore.

ORDER.

The Divisional Commissioner states that an extent of 180 acres out of F.S.No.147 of Dyvamballi was constituted into a Minor Forest as per Govt.Order No.CI 160B-8-1934. Sriyuta Boddaraycs and others encroached upon this area and have been cultivating since 1936. The Deputy Commissioner, Bangalore, after investigation has also noticed that besides the above persons, Sri Thoppa Setty and 20 others have also ~~noticed that besides the above persons, Sri Thoppa Setty and~~ encroached upon an extent of 32-30-0 acres since 8 to 10 years. The total extent thus encroached upon comes to 135-24-0 acres after surveying the encroachments.

2. The Chief Conservator of Forests when consulted by the erstwhile Revenue Commissioner in Mysore, Bangalore, recommends to evict these occupants.

3. The Deputy Commissioner, Bangalore in his letter No.LND.SR-C.1677/60-61 dt.13-5-60 reports when consulted, that in this S.No.147, the area fit for cultivation is only about 180 acres and the only way to solve the problem is to grant this extent and regularise the encroachments.

4. The Divisional Commissioner further is of the opinion that the unauthorised cultivation subsists presumably for over 20 years, and that the Forest Department have failed to take timely action to occupy the area effectively and to prevent encroachments. It is now considered unfair to evict these persons who are otherwise eligible, from such a large area when they have developed the land, and particularly at this distance of time and in the circumstances, the Divisional Commissioner requests orders of Government to release 180 acres of the Minor Forest.

5. Government, after careful examination of all the aspects is pleased to direct that an extent of 135-24 acres from out of the Dyvamballi Minor Forest, Kanakapura Taluk, Bangalore District, be disforested and surrendered to the Rev.Department for being granted to the encroachers permanently for cultivation, subject to the new land grant rules of the Revenue Department.

6. It is further directed that the grant of these forest lands may be regularised in favour of the encroachers by the Rev.Department only after they levy a suitable penalty, and the penalty amount so levied is credited to the Forest Department.

7. The Chief Conservator of Forests is requested to take further action in the matter and send upto Government disforestment notification in respect of the area ordered to be released early.

BY ORDER AND IN THE NAME OF THE GOVERNOR OF MYSORE,

(S. Chandappa)
Under Secretary to Government,
Agriculture & Forest Department.

To

(1) The Chief Conservator of Forests, Bangalore. (2) The Divisional Commissioner, B'lore, with papers of the case. (3) The Deputy Commissioner, B'lore (4) The Revenue Dept. with reference their File No.RD 132 LRA 60 (5) Weekly Gazette.